IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 1054 of 2004 (S/S)

Kheema ……. Petitioner

Versus

State of Uttaranchal
Through Chief Secretary,
Uttaranchal and others ……. Respondents

Mr. Vikash Pandey / M.C. Pant, learned counsel for the petitioner.
Mr. Subhash Upadhyaya, learned Brief Holder for the respondents.

Hon'ble P.C. Pant, J.

Heard learned counsel for the parties.

2) By means of this writ petition, the petitioner has sought appointment on a Class IV post in the office of the District Inspector of Schools, Narendra Nagar, Tehri Garhwal.

3) It is submitted by learned counsel for the petitioner that the petitioner was on daily wages till 1995 in a department known as U.P. Jalagam. Thereafter, from 03.10.1996 to October 1997 he was engaged again on daily wages in Nagar Panchayat, Chamba. Thereafter on 23.07.1998, Joint Commissioner, Garhwal Division wrote a letter to D.I.O.S. to appoint the petitioner on Class IV post. But it is not clear that under what Rule said direction was issued to the D.I.O.S. to appoint the petitioner. Again on 27.10.1998, Association of Class IV Employees wrote a letter to D.I.O.S. to appoint the petitioner on Class IV post. The D.I.O.S. is not supposed to work under the threat of anyone. On 30.01.2000, the District Magistrate, Tehri Garhwal wrote a letter to the D.I.O.S. to appoint the petitioner on Class IV post, but it is

again not clear that under which provision of law the District Magistrate, Tehri made this direction.

4) As far as appointments on government posts are concerned, it is supposed from the authorities that they have to work under certain rules. Merely, on the recommendations it is not supposed that the appointment be made. As such, the writ petition is devoid of merits and the same is dismissed in limine.

(P.C. Pant, J.)

Dt. 17.09.2004
H.Negi